

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TIBCO Software Inc.,
Plaintiff(s),

Case No. 3:14-cv-02782-JD

**STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS**

Bank of America Corp., et al.,
Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- ☐ Non-binding Arbitration (ADR L.R. 4)
- ☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)
- ☐ Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

X Private ADR (please identify process and provider) To be determined

The parties agree to hold the ADR session by:

- X** the presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)
- ☐ other requested deadline _____

Dated: Sept. 10, 2014

/s/ Claude M. Stern
Claude M. Stern
Attorney for Plaintiffs

Dated: Sept. 10, 2014

Kelly M. Klaus*
Kelly M. Klaus
Attorney for Defendants

*Electronically signed by Claude M. Stern with the concurrence of Kelly M. Klaus. Civ. L.R. 5-1(i)(3).

[PROPOSED] ORDER

- ☐ The parties' stipulation is adopted and IT IS SO ORDERED.
- ☐ The parties' stipulation is modified as follows, and IT IS SO ORDERED.

Dated:

HON. JAMES DONATO
United States District Judge